

REMARKS

Claims 1-6 and 15-19 are currently pending as previously withdrawn claims 7-10 and claims 20-22 are herein cancelled. In the Advisory Action mailed June 29, 2010, the Examiner refused to enter the amendments as presented in the Response filed June 21, 2010 and asserted that such amendments failed to place the application in condition for allowance. A telephone conference was held on September 7, 2010 between the Examiner, Attorney Kirk Deheck (Reg. No. 55, 782), and undersigned Attorney Tim Newholm (Reg. No. 34,400). No agreement was reached with respect to the outstanding rejections, the interpretation of the claim limitations, and/or the disclosure of the art. Applicant has concurrently filed a Notice of Appeal and Pre-Appeal Brief Conference Request discussing Applicant's reasons for asserting the patentability of the claims as presented herein.

As 37 C.F.R. §1.116 (b)(1) expressly provides for the cancellation of claims prior to appeal, Applicant requests entry of the claims as presented herein. The Director is hereby authorized to charge the amount of \$130.00 to Deposit Account No. 50-1170 for a one-month extension of time for entry of this response. Although no other fees are believed due at this time, the Director is further authorized to charge any fees which may be considered due, or credit any overpayment, with this or any future communication, to Deposit Account No. 50-1170.

Respectfully submitted,



Timothy E. Newholm
Registration No. 34,400

Date: September 7, 2010

Customer Account No.: 23598
BOYLE FREDRICKSON, S.C.
840 North Plankinton Avenue
Milwaukee, WI 53203
Telephone: (414) 225-9755
Facsimile: (414) 225-9753
E-mail: docketing@boylefred.com